App. F. IX-4

Previous References

1938. (Legis.)

File No. 18-38

Serial Nos. — 1

Letter References

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one

Part B for November 1938

SUBJECT.

Cinematograph Films Act 1938 and Bengal Public demands Recovery (Amendment) Act 1938

only note.

WD 0295—GPB—22,500—18-8-37

28/11/39

Ly is 18-38 1) The current Indian Statutes, Part 9, for the month of September 1938, is submitted for perusal.

JB
9/9

BNR
13.9

2) Submitted for perusal

2) Draft reply is invited to the Cinematograph Films Act & the Public Demands Recovery Act

BNR
13/9

3) as G.S.V may examine the questions

(Under Secy)

by
13.9

Submitted

4) The Cinematograph Films Act 1938 is an Act of the British Parliament which extends only to Great Britain excluding Northern Ireland (S 46) for a period of ten years. It seeks to protect the British film industry by insisting on renters and exhibitors of films in Great Britain, acquiring and exhibiting respectively a certain specified Proportion of British films (determined under S 25) to the total length of films rented or exhibited in any year. subject to certain exceptions

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Any infringement of these rules is made an offence (S11)

5) In order to carry out the objects of the Act effectively renters and exhibitors are required to obtain annual licenses before carrying on their business (Sq. Penalties S10) and to maintain records of films rented or exhibited by them (S12) Films also are required to be registered with the Board of Trade and unregistered films are prohibited from being rented or exhibited (S22)

6) Certain Contracts between renters and exhibitors like 'blind booking' whereby the latter is obliged to take delivery of a film that is not 'trade shown' at the time of the undertaking, and 'advance booking' whereby he is obliged to take delivery of a film on a date later than 6 months after the date of the undertaking are prevented by being made invalid (Ss 17-20). 'Trade-shown' has been defined in S44 as a display of a film in London to exhibitors or agents allowing for the satisfactory viewing of the film. Thus films which have not been satisfactorily viewed or which have not yet been completed are prevented from being made the subject of Contract.

7) Wages to employes in the Cinematograph film industry are made to Conform to the requirements applicable to Contracts of Government departments except where otherwise agreed to by the organisation representative

NOTE—Contn. Sheet.

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of the person employed (534)

8) Provision is also made for the Constitution of a Cinematograph Film Council whose functions are to review the Progress of and to advice the Board of Trade on any matter relating to the film industry and to make an annual report which the Board should place before Parliament.

9) In Burma the film industry does not seem to require any such Protection yet. Even in British India there does not seem to be any similar legislation.

10) The Bengal Public Demands Recovery (Amendment) Act 1938 has been passed to give special summary powers to Land Mortgage Banks for the speedy recovery of outstanding dues from defaulting members of the Bank by extending to them the privilege of recovery by 'Certificate Procedure'. It therefore extends the operation of the Bengal Public Demands Recovery Act III of 1913 to sums due to a Land Mortgage Bank registered under the Cooperative Societies Act 1912 or to an assignee of such bank in respect of a mortgage debt, by including such sums in Schedule I of the 1913 Act which Prescribes what dues are public demands for the Purposes of the Act. ~~Certificate~~

11) Certificate Procedure has been laid down

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in the 1913 Act to be as follows: the Collector or other person appointed by the Collector for this purpose called a Certificate officer issues a notice to the person from whom the Public demand is due either to himself or to any other person who may have sent ~~filed~~ a requisition to the Collector to issue such notice. On receipt of such requisition or where the amount is due to himself the Certificate officer causes a Certificate stating that the amount is due, to be filed in his office and this is the basis of the notice abovementioned. After the hearing of the petition (i.e. the debtor if he petitions about the Propriety of the Certificate) the Certificate officer may order execution of the Certificate (i) by attachment and sale or by sale of any Property, by attachment of any decree, or by arresting the Certificate-debtor or two or all of the abovementioned methods.

12) It is this Procedure that is extended to outstanding dues to Cooperative Land Mortgage Banks by the Amendment Act 1938.

13) In Bombay the Special Provisions relating to Cooperative Land Mortgage Banks added by Act V of 1929 to the Cooperative Societies Act VII of 1918 gives Certain powers for the speedy recovery of loans. S 60 give power to the Registrar to order possession to be given to the Bank or to forthwith order sale of the land or security and under S 63 such an order of sale is to be executed as far as may be under the provisions of the Land Revenue Code as if the

NOTE—Contn. Sheet.

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General and Revenue Secretariat

arrears due to the Bank were arrears of Land Revenue. The amending Act of 1938 (Bengal) does not therefore seem to call for any special notice here.

(Govt 1579) Bom

It seems no further action necessary

VB 27.11

VB 21.XI.38.